

In view of the foregoing amendments and following remarks, the Applicants believe claims 1-9 are presently allowable, and respectfully request the pending rejections be reconsidered and withdrawn.

1. The Pending § 112, Second Paragraph Rejection.

The Applicants respectfully traverse the pending § 112, second paragraph, rejection of claims 1-8 as indefinite on the previously stated grounds that the definition of the central region of the vehicle in terms of the brake booster location is sufficiently definite.

Further, the Applicants respectfully note that, as recently reiterated in Deputy Commissioner Kunin's January 17, 2003 Memorandum to the Examining Corps, "some latitude in the manner of expression and aptness of terms should be permitted even though the claim language is not as precise as the examiner might desire ... the examiner must consider the claim as a whole to determine whether the claim *apprises one of ordinary skill in the art of its scope*, and therefore, serves the notice function required by 35 U.S.C. § 112, second paragraph by providing a clear warning to others as to what constitutes infringement of the patent." (emphasis added).

The Applicants respectfully submit that the Deputy Commissioner's remarks are applicable here, as the Examiner appears to be seeking far more specificity in the definition of the central region than is required to inform one of ordinary skill in the art of the metes and bounds of the invention. The Applicants again submit that one of ordinary skill would be readily able to read the present claims and written disclosure, including the figures, understand the scope of the claims, and then determine whether their vehicle's component arrangements fall within the scope of the claims. Accordingly, the Applicants request this rejection be reconsidered and withdrawn.

Notwithstanding the foregoing, and solely in order to move this case forward, the Applicants have amended claim 1 to provide additional language regarding the brake booster location, and have added new claim 9 to alternatively define the central region of the present invention without reference to a specific component location.

In view of the foregoing, the Applicants believe claims 1-8 are sufficiently defined under § 112, second paragraph, and request the pending rejection be withdrawn.

2. Amended Claim 1 Is Patentable Under § 103(a) Over the Cited References.

The Applicants respectfully traverse the pending rejection of claims 1 and 6-8 as unpatentable under §103(a) over Haynes Taurus Manual in view of Takayama on the grounds that these references, either alone or in combination, do not teach or suggest the invention recited in amended claim 1.

In the January 13, 2003 Office Action, it is maintained that Takayama teaches “the practice of concentrating electrical components along the longitudinal centerline and on a dash cross member of a vehicle.” January 13, 2003 Final Office Action at 3-4 (citing Takayama Figs. 1, 2 and 3:30-34 and 17:36-34 as supporting this assertion).¹ The Applicants respectfully maintain that Takayama does not teach or suggest the prevent invention, and in fact it teaches *away* from the pending claims.

The Applicants’ November 25, 2002 arguments pointed out that the portions of Takayama cited by the Examiner teach only the *connection* of units (such as engine control and ABS control units) to Takayama’s centrally-located panel P, without any teaching or suggestion of the concentration of the units *themselves* in the central region. In response to these arguments, it is maintained that “the teachings of Takayama et al. are not limited to the cited passage in column 17, lines 35-43, but to the full disclosure,” and further that “[t]he full disclosure envisions a wide variety of units concentrated along the centerline, and control units are only a segment of this list.” Final Office Action at 7 (arguing that engine control unit, ABS control unit, etc. are “in addition to” units such as the radio, CD player, air conditioner, which are identified as mounted on the back of the central panel). It is then summarily asserted that Takayama provides a “broad teaching of component concentration” and that this teaching is somehow provides “sufficient” teaching for the concentration of units like those recited in claim 1.

Contrary to the general assertion in the Final Office Action, the “full disclosure” of Takayama in fact teaches *only* the central location of electrical unit *controls* and, where appropriate, *accessories* -- as confirmed both in the first paragraph (summarizing the Takayama invention, which refers to “an electrical equipment and electronic equipment assembly” connected to accessories “such as a car navigation apparatus, car audio system,

¹ See also Final Office Action at 6 (asserting that Takayama specifically teaches “an engine control computer (unit) and ABS actuator (control unit) located along the centerline,” notwithstanding that these components are not either expressly or implicitly listed in the passage at 17:31-47 as located *at* the central panel, and where Takayama specifically is discussing the connection to the central panel of control units that are *not* located at the panel).

and the like” where one “can concentratively operate and control these vehicle electric devices”) and throughout the rest of the specification and figures. Takayama at 1:7-14. Indeed, with the exception of the short passage in column 17 (discussing central *connection* of remotely located components, Takayama remains *entirely* focused on its concept of centrally locating *accessories* such as radios, navigation units, ventilation control units to improve, for example, the ability to economically equip various models of a vehicle with different levels of trim and equipment to suit customer desires.

Importantly, and consistent with its sole focus on efficient support of various interior accessory equipages, Takayama contains *no teaching or suggestion that non-accessory components also be centrally located* (such as claim 1’s “an engine control computer, a relay block, a junction box, and an ABS actuator”). Stated alternatively, one of ordinary skill in the art reviewing Takayama (*i.e.*, one not using hindsight knowledge of the present invention) would find a no “broad teaching” to concentrate just *any* component of the vehicle at Takayama’s central panel -- they would find only Takayama’s teaching to concentrate accessories and controls in the central panel to provide improved operator interaction with the vehicle and economically efficient assembly of such devices. This teaching includes the cited passage in column 17, which -- when viewed in terms of the “full disclosure” of Takayama -- teaches *away* from the present invention by only mentioning non-accessory components such as an engine control unit and an ABS control unit in a section discussing the possibility of making connections to the central panel from units *not* mounted to the instrument panel. Takayama at 17:31-47 (and in particular 17:31-32 and 17:43-47). The Applicants respectfully submit that one cannot point to anything in Takayama that would suggest to one of ordinary skill to centrally locate “an engine control computer, a relay block, a junction box, and an ABS actuator.”

Because Takayama does not suggest the feature for which it is cited, Haynes Taurus Manual and Takayama, either alone or in combination, fail to teach or suggest the present invention as recited in amended claim 1. Accordingly, reconsideration and withdrawal of the pending rejections of claims 1 and 6-8 is respectfully requested. In addition, because the third reference cited in the rejection of dependent claims 2-5, Toshihiro, does not cure the defects of Takayama, the Applicants respectfully request the pending §103(a) rejection of these claims also be withdrawn.

Conclusion

In view of the foregoing requested amendments and remarks, it is respectfully requested that the pending rejections be reconsidered and withdrawn, and a Notice of Allowance be issued for claims 1-9.

The Examiner is invited to contact the undersigned at (202) 220-4232 to discuss any matter concerning this application.

The Office is authorized to charge any underpayment or credit any overpayment to Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,



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MARKED-UP VERSION OF AMENDMENTS

IN THE CLAIMS:

1. (Fourth amendment) A structure in which a plurality of electrical equipments are arranged in a motor vehicle, comprising:

an engine control computer, a relay block, a junction box, and an ABS actuator; [and]

a brake booster which is located at one of a right half region and a left half region of the vehicle; and

a vehicle body with a longitudinal centerline that defines a space including a generally centralized region as viewed in a direction of the width of the vehicle, said region extending symmetrically from both sides of the centerline for a distance which is no more than one-half the distance, measured in a direction normal to the centerline, between the centerline and a longitudinal axis of [a] the brake booster disposed within the vehicle body,

wherein the engine control computer, relay block, junction box, and ABS actuator are concentrated in said generally central region of the space defined by the vehicle body, and the locations of the engine control computer, the relay block, the junction box and the ABS actuator are the same when the vehicle is a right-hand drive vehicle as when the vehicle is a left-hand drive vehicle.

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